

to the laws of any State, Territory, district, or insular possession, said bond to be approved by the United States attorney for the western district of Washington, that said marshal shall redeliver the said 100 cases of canned apricots, with such of their contents as they now contain or may contain at the time of such delivery, to the J. K. Armsby Company, a corporation, in lieu of the retention and sale thereof, the said bond to be filed herein, if at all, on or before the first day of June, 1909.

C. H. HANFORD, *Judge.*

The facts in the case were as follows:

On or about May 6, 1909, an inspector of the Department of Agriculture located in the possession of the Washington Grocery Company, Bellingham, Wash., 100 cases (each containing 12 packages) of apricots labeled "One dozen gallons Bayside Brand California Pie Apricots, Bayside Canning Company, Alviso, California." A representative number of packages were measured in the Bureau of Chemistry, United States Department of Agriculture, and found to contain only three-fourths of 1 gallon each.

The facts were reported by the Secretary of Agriculture to the United States attorney for the western district of Washington on May 6, 1909, and a libel for seizure and condemnation was duly filed, with the result hereinbefore stated.

H. W. WILEY,  
F. L. DUNLAP,  
GEO. P. McCABE,

*Board of Food and Drug Inspection.*

Approved:

JAMES WILSON,  
*Secretary of Agriculture.*

WASHINGTON, D. C., November 20, 1909.

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(N. J. 115.)

#### **ADULTERATION AND MISBRANDING OF LEMON EXTRACT.**

(IMITATION COLORED WITH A COAL-TAR DYE.)

In accordance with the provisions of section 4 of the Food and Drugs Act of June 30, 1906, and of regulation 6 of the rules and regulations for the enforcement of the act, notice is given that on the 3d day of June, 1909, in the United States circuit court for the eastern district of Louisiana, in a criminal prosecution by the United States against the Nicholas Burke Company (Limited), a corporation of New Orleans, La., for violation of section 2 of the aforesaid act, in shipping and delivering for shipment from Louisiana to Mississippi an adulterated and misbranded lemon extract, the said Nicholas Burke Company (Limited) entered a plea of guilty, whereupon the court imposed upon it a fine of \$10.

The facts in the case were as follows:

On February 21, 1908, an inspector of the United States Department of Agriculture purchased from the firm of Van Cleave Brothers,

Ocean Springs, Miss., a sample of lemon extract labeled, "Momus N. B. Co. (Ltd.), Double Extract Lemon for Cakes, Pastry, etc. Nicholas Burke Co. (Ltd.), New Orleans, La.," which had been manufactured and shipped by the Nicholas Burke Company (Limited), from New Orleans, La., to the said firm on or about June 3, 1907. The sample was subjected to analysis in the Bureau of Chemistry of the United States Department of Agriculture, and the following results obtained and stated:

Specific gravity at 15.5° C.....	0.99153
Alcohol by volume (per cent).....	7.64
Solids, in extract (gram per 100 cc.).....	.87
Lemon oil by polarization.....	None.
Lemon oil by precipitation.....	None.
Citral (per cent by weight).....	.02
Color, coal tar dye.	

In the opinion of the Department of Agriculture, lemon extract is the flavoring extract prepared from oil of lemon or from lemon peel, or both, and contains not less than 5 per cent by volume of lemon oil. It was evident that the product was both adulterated and misbranded within the meaning of sections 7 and 8 of the act; adulterated because it contained little or no lemon oil and because it was an imitation extract colored with a coal-tar dye to give it the color of genuine lemon extract, thereby concealing inferiority; and misbranded because labeled "Double Extract Lemon," whereas it contains little or no lemon extract.

On March 23, 1909, the facts were reported by the Secretary of Agriculture to the Attorney-General and the case was referred to the United States attorney for the eastern district of Louisiana, who filed information against the Nicholas Burke Company (Limited), with the results hereinbefore stated.

H. W. WILEY,  
F. L. DUNLAP,  
GEO. P. McCABE,  
*Board of Food and Drug Inspection.*

Approved:

JAMES WILSON,  
*Secretary of Agriculture.*

WASHINGTON, D. C., November 20, 1909.

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(N. J. 116.)

#### ADULTERATION AND MISBRANDING OF STOCK FEED.

(LOW PROTEIN AND FAT CONTENT.)

In accordance with the provisions of section 4 of the Food and Drugs Act of June 30, 1906, and of regulation 6 of the rules and regulations for the enforcement of the act, notice is given that on